

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re: Tony Jupiter

Debtor(s)

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**Motion and Order
Chapter 13**

No. B-0582598 C-13D

The undersigned Standing Trustee respectfully moves the Court for an Order as follows:

On November 21, 2005, the Debtor's plan was confirmed. The Confirmation Order provided that the claim of Countrywide Home Loans ("CHL") would be allowed as a long-term continuing debt under the Debtor's plan and any pre-petition arrearages would be paid as a secured claim in this case, when such claim was timely and properly filed. The bar date for creditors to file claims in this case was January 12, 2006. On February 6, 2006, the Standing Trustee received the claim of CHL in the amount of \$77,160.07, secured by a deed of trust on the Debtor's real property, and a pre-petition arrearage claim in the amount of \$2,488.76 which was untimely filed.

The Standing Trustee respectfully recommends to the Court that an Order be entered as follows: 1) CHL is allowed a long-term continuing debt, payable in monthly installments of \$491.93, beginning November, 2005, installment; and 2) a secured arrearage claim in the amount of \$2,488.76, or such amount as may be amended in writing to the Trustee, is allowed without interest to be paid pro-rata with all other secured claims in this case.

Date: February 8, 2006
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s/Richard M. Hutson, II
Richard M. Hutson, II, Standing Trustee

ORDER

Upon Motion of the Standing Trustee and for good cause shown, it is

ORDERED that the relief as requested and recommended by the Standing Trustee is hereby granted effective on the first day after the expiration of thirty (30) days after the date of this Order; however, if within said first thirty (30) days after the date of this Order written objections are filed with this Court and copies served upon the parties on the attached Parties to be Served list, the effective date of this Order will be pursuant to further Orders of the Court at the hearing on objections; and, it is further

ORDERED that if objections by a party in interest to the granting of the above relief are filed within the thirty (30) day period, a hearing will be held on the objections on the 13th day of April, 2006, at 11:00 a.m., in the Courtroom first floor, Durham Centre Building, 300 West Morgan Street, Durham, NC; and, it is further

ORDERED that the Clerk mail a copy of this Motion and Order to each of the parties in interest.

PARTIES TO BE SERVED

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